



# NASA –Executive Council Decision Package

## **Conference Sponsorship and Attendance**

**June 25, 2012**

**EC 2012-06-002**

**Decision needed:**

How should the Agency's policy change regarding conference sponsorship and attendance (in addition to that already required by OMB Memorandum 12-12)?

**Context**

- GSA's Inspector General (IG), in a report on a 2010 GSA conference, deemed certain practices that are currently allowed in NASA's policy to be of questionable value, including scouting trips, "compd" suites, and certain food purchases
- Previous Federal IG reports have found issues with food purchases and other practices (and NASA OIG's recently initiated audit is finding similar issues).
- OMB issued a memorandum to Agency heads (M-12-12) that prescribed certain steps that each agency must take. NASA has already initiated its implementation of the requirements of the memo.

**Success criteria**

- The new policy supports a vibrant science and technology enterprise at NASA, while spending the taxpayer's dollars wisely.

**Timeline**

- 06/25/2012 EC Decision Meeting, commence implementation and communication of decisions
- XX/XX/12 Revised NID approved in NODIS

**Constraints**

- Federal Travel Regulations (FTR)
- Executive Order 13589, "Promoting Efficient Spending"
- OMB Memorandum 12-12
- Past NASA IG report recommendations on conferences
- Congressional reporting and attendance requirements
- Available travel and reporting systems

**Potential impact**

- OMB Memorandum 12-12 already requires a significant increase in conference reporting and approval requirements
- Additional steps would target questionable practices identified in Federal Government IG reports

OMB Memorandum 12-12 has already required NASA to institute a number of changes to its conference sponsorship and attendance practices (see slide 7). Some additional steps may also be prudent to address the following issues.

Key Issues to Address	Supporting Facts
Approval and Reporting for NASA Sponsored Conferences	<p><b>Confusion over the definition of a conference</b>—Some ambiguity is unavoidable due to variations and overlap between terms like “conference” and “mission meetings,” but further clarity is possible.</p> <p><b>Approval Levels</b>—Current approval procedures may not be sufficient given recent findings by government Inspector Generals and others.</p> <p><b>Reporting/approval forms for NASA sponsored conferences</b>—At present, the forms provide limited visibility into certain expenditures (e.g., breakdown of support contractor costs), and offices have incurred substantial costs before the initial form (NF 1984) is submitted and approved (contrary to guidance). Moreover there are no formal requirements for changes after filing the NF-1784/5.</p> <p><b>Lack of consequences</b> for not reporting, exceeding planned thresholds, or late filings.</p>
Conference planning guidance for NASA sponsored conferences	Currently, little guidance exists concerning general conference planning and meeting/conference support contracts
Food at NASA sponsored conferences, including Widely Attended Gatherings (WAGs)	<p>Current controls do not catch all potential problems, in particular:</p> <ul style="list-style-type: none"> <li>•Recent DOJ guidance prohibits most government furnished food for non-feds; and</li> <li>•Approval/reporting controls do not appear to be enough to safeguard against significant issues with food furnished for employees</li> </ul>

## KEY DEFINITIONS

- NASA sponsored conferences v. Conferences attended

- There are different requirements for conferences for which NASA is a sponsor than those that NASA employees simply attend along with other participants.

- “Reportable conference”

- A reportable conference is one on which certain information must be supplied before sponsorship and/or attendance is approved.
  - Previous scope: Until the issuance of OMB Memorandum 12-12, NASA only reported on conferences to the IG as explicitly directed by the Congress, which included information only on NASA sponsored conferences that totaled over \$20,000 in cost (including travel and per diem for the NASA participants) and that were held off-site (i.e., not at a NASA Center). NASA also tracks attendance for foreign conferences to insure we limit attendance to 50 employees per our Appropriations Acts.
  - New scope: The requirements of OMB Memorandum 12-12 and proposals presented here would expand the requirement for reporting to a broader array of conferences, and all above the \$100,000 threshold are to be posted on our website. (Note: the universe of conferences about which information is supplied to the Congress and IG would remain the same, unless proposed amendments like those [adopted during consideration of](#) the Postal Bill and Data Act are [enacted](#), which [would](#) require [additional](#) reporting for all conferences.)

## HISTORY AND CURRENT PROCESS

### •Recall Past Problems:

- 2005 Conferences (Small Bus—San Diego and New York; HCMO—Lake Tahoe)—led to Administrator's memo of 11/05, setting out rules for conference planning
- 2008 SFA and CBS News story—led to Congressionally mandated reporting
- 2009 \$5M cap—resulted from NASA's 2008 report (but relief was given part way through the year to support Scientific/Technical conferences)
- OIG's 2009 Audit, 2010 Review—found issues with conference planning (underestimating costs, not considering Gov't facilities), excessive food costs, improper M&IE claims when meals were provided, missing records

### •NASA's controls on NASA sponsored conferences have steadily improved since 2008, now requiring:

- Agency Policy (NPR 9700 Ch. 2) mandates Agency-level requirements relating to NASA sponsored conferences, including requirements for approval and reporting that were negotiated with the Congress and are limited to sponsored conferences that are over \$20,000 in total cost and held off-site.
- Pre-event reporting and approval (via form NF-1784) including –
  - Reporting/approval of key anticipated expenses; OIC/Center Director if food costs exceed thresholds; Deputy Administrator final concurrence is now required
- Post event reporting (via form NF-1785) signed by the approving official.
- Quarterly agency-wide reporting, to OIG with access to all NF 1784s and 1785s, published in OCFO's Management Business & Accounting Report

## BACKGROUND: Requirements from OMB Memorandum 12-12 and NASA's plan for implementation

• **Initiate senior level approval of all future conference expenses in excess of \$100,000:** The Deputy Administrator will --

- Continue to review all proposed NASA *sponsored* conferences in excess of \$100,000.
- Initiate a process to review all proposed NASA *attendance* at conferences with **final** total costs in excess of \$100,000.

• **Prohibit expenses in excess of \$500,000 on a single conference, subject to a waiver:** NASA will --

- Generally refrain from incurring net expenses greater than \$500,000 on a single conference.
- Create a waiver process by which the Administrator may provide a waiver from this policy if he or she determines that exceptional circumstances exist whereby spending in excess of \$500,000 on a single conference is the most cost-effective option to achieve a compelling purpose. The grounds for any such waiver will be documented in writing.

• **Report publicly on all conference expenses in excess of \$100,000:** NASA will --

- Report on the NASA website for each conference where costs exceeded \$100,000, beginning on January 31, 2013, including:
  - A description of the conference
  - Total conference expenses incurred by the agency for the conference;
  - Location and date of the conference;
  - Brief explanation how the conference advanced the mission of the agency;
  - Total number of individuals whose travel expenses or other conference expenses were paid by the agency; and
  - Any waiver provided for a conference where costs exceeded \$500,000
- Include information about the net conference expenses for the fiscal year incurred by NASA as well as a general report about conference activities throughout the year.

## CHANGES ALREADY REQUIRED: to NASA's current policies and practices by OMB Memorandum 12-12

**1.Revision of the definition of a reportable conference** to mean a “meeting, retreat, seminar, symposium or event that requires attendee travel” (see 41 CFR 300-3.1) and exclude ONLY:

- Operational meetings
- Training
- Special Agency Missions (e.g., emergency response and recovery events)

*See slides 16 and 17 for draft NID language.*

**2.Creation of processes by which the Deputy Administrator will approve all future conference expenses (for sponsored or attended confernces)** with total costs in excess of \$100,000. More details will be forthcoming.

**3.Re-instatement of the NASA Conference Tracking System** for use by all NASA employees that plan to attend a conference, and expand its tracking for all NASA sponsored conferences -- to collect the data required for the approval process and reporting. More details will be forthcoming.

**4.Prohibition on conferences (sponsored or attended) with total costs in excess of \$500,000**, except through a waiver by the Administrator. More details will be forthcoming.

Decides

Administrator/Mr. Bolden

Recommends

Chief Financial Officer/Dr. Robinson

Consulted  
stakeholders

Administrator/Mr. Bolden	Deputy Administrator/Ms. Garver
Associate Administrator/Mr. Lightfoot	Chief of Staff/Mr. Radzanowski
ADA/Mr. Keegan	ADA for Policy Integration/Dr. Keiser
Chief Financial Officer/Dr. Robinson	Chief Information Officer/Ms. Cureton
Chief Scientist/Dr. Abdalati	Chief Technologist/Dr. Peck
Chief Engineer/Dr. Ryschkewitsch	General Counsel/Mr. Wholley
Chief Health and Medical Officer/Dr. Williams	AA for Communications/Mr. Weaver
Chief Safety and Mission Assurance/Mr. Wilcutt	AA for Education/Mr. Melvin
AA for Diversity and Equal Opportunity/Ms. Manuel	AA for ARMD/Dr. Shin
AA for International & Interagency Relations/Mr. O' Brien	AA for HEO MD/Mr. Gerstenmaier
AA for Legislative and Intergovernmental Affairs/Mr. Statler	AA for SMD/Dr. Grunsfeld
AA for Small Business Programs/Mr. Delgado	AA for MSD/Dr. Whitlow
ARC/Dr. Worden	DFRC/Mr. McBride
GRC/Mr. Lugo	GSFC/Mr. Scolese
JSC/Mr. Coats	KSC/Mr. Cabana
LaRC/Ms. Roe	MSFC/Mr. Goldman
SSC/Mr. Scheuermann	
Program Director, Space Technology/Dr. Gazarik	

Informed

All Officials-in-Charge and Center Directors (see OIC list/NPD 1000.3 sec. 1.2.1.1 and 1.2.2.)

Executes

Beth Robinson, Chief Financial Officer - developing revised NPD 9700



## Issue Area

## Proposal

## Potential impact

### NASA Sponsored Conferences: Approval and Reporting

#### Reporting

***Maintain thresholds for reportable conferences (but using the new definition of a conference) and exclude only:***

- Conferences with total costs less than \$20,000 (including minor sponsorships), and
- Conferences properly supported through a Federal Grant

All conferences would be tracked by the sponsoring office/center, but only those with final costs above the threshold of \$20,000 are subject to reporting.

- Continues current reporting practices as applied to all events now included in the new definition of a reportable conference.
- Ensures data collection for required reporting to the IG.
- Allows for additional internal reporting on all significant events that the public sees as “NASA conferences”, including (even small) events about which NASA has incurred problems in the past.

### NASA Sponsored Conferences: Approval and Reporting

#### Approving

***Change the levels of approval:***

- Require OIC/Center Director approval for any reportable conference.
- Additionally require A-Suite (Deputy Administrator) concurrence for any reportable conference with projected costs in excess of \$75,000 (inclusive of travel and per diem costs) to ensure compliance with the \$100,000 threshold for final costs.

- Raises the level of awareness of senior officials to the initiation of NASA sponsored conferences. (See slide 19 for information on current thresholds.)
- Conforms with the requirements of OMB Memorandum 12-12.
- Increases the level of approval and accountability required from current NPR levels (see slide 18).
- Potentially increases the time required to prepare for a conference.

## Issue Area

## Proposal

## Potential impact

**NASA Sponsored  
Conferences:  
Approval and  
Reporting**
**Reporting  
Forms**
***Change current requirements and practice:***

- Require the submittal of the NF 1784 at least six months in advance (or immediately for events planned within a shorter time period due to unanticipated, identifiable and pressing issues)
- Enforce the prohibition on spending funds for the conference before approval is received
- Add new categories of reporting information on both forms (NF 1784 and 1785) directed at reasonableness of support contract and other costs
- Add periodic management reports (e.g., at an Agency Council meeting)

- Requires earlier submittal of approval forms, potentially adding time to the process of preparing for a conference. (See slides 19 and 20 for information on the current NF 1784 and 1785 requirements.)

**NASA Sponsored  
Conferences:  
Approval and  
Reporting**
**Approving**
***Institute consequences:***

- *For delinquent filing or failure to report an event*—Require the OIC/Center Director to conduct a review of the process and prepare a lessons-learned and action plan for ensuring against future non-compliance for the Deputy Administrator
- *For failure to control conference costs to within 10% of planned levels* (travel and non-travel), and any significant problem/repeat audit finding—Require higher level review and concurrence for future conferences until the Deputy Administrator is satisfied with improvements by the Office/Center for conference planning

- Emphasizes the importance of the conference reporting and approval process.
- Enables offices that have difficulties to prepare appropriate action plans

Issue Area	Proposal	Potential impact
<p><b>Sponsored Conference Planning</b></p> <p><i>Immediate Changes</i></p>	<p><b><i>Change current requirements and practice:</i></b></p> <ul style="list-style-type: none"> <li>• Prohibit any planning or lessons learned trips associated with the planned event</li> <li>• Prepare mandatory guidelines from the Office of Procurement with OCFO (do's and don't's) for conference support procurements (contracts/task orders/SOWs)</li> </ul>	<ul style="list-style-type: none"> <li>• Prohibits a practice -- additional trips in conjunction with a conference -- that has been deemed undesirable by various Federal Government IGs</li> <li>• Provides immediate guidance to conference planners</li> </ul>
<p><b>Sponsored Conference Planning</b></p> <p><i>Further Changes</i></p>	<p><b><i>Migrate the current reporting Point of Contact (POC) structure</i></b> to a more empowered (and responsible) planning POC for each Office/Center and provide training for the POCs.</p> <ul style="list-style-type: none"> <li>• Study consolidating conference planning services, e.g. under HQ supervision with a single civil-servant office or single contract for HQ and most centers (optionally with additional offices or contracts at large centers with enough activity) to ensure consistent and appropriate execution</li> </ul> <p><b><i>Develop more extensive conference planning guidance on:</i></b></p> <ul style="list-style-type: none"> <li>• Complementary suites and rooms (e.g., no comp'd suites);</li> <li>• Contractor attendance (e.g., proper billing);</li> <li>• Per person acceptable costs; and</li> <li>• Other areas that raise potential inappropriate charge/augmentations issues relating to conferences</li> </ul>	<ul style="list-style-type: none"> <li>• Addresses in a more systematic way the current lack of knowledge and training concerning conference planning</li> <li>• Addresses additional indicators and practices found to be problematic by various Federal Government IGs</li> </ul>

## Issue Area

## Proposal

## Potential impact

## Food at Sponsored Conferences

*Immediate Changes*

**Prohibit direct payment with NASA funds for food at NASA sponsored conferences**, except if:

- NASA personnel pay directly for the food (and only receive reimbursement via travel per diem)
- All participants are charged the same fee.

***Prohibit issuance of Widely Attended Gathering (WAG) determinations (permitting contractor-provided food) for events held in conjunction with NASA sponsored conferences***

- Addresses a major source of problematic practices found by Federal Government IGs.
- Follows practices already instituted by other agencies (e.g., Justice).
- For information on NASA's current requirements concerning food, please see slides 21 and 22.

## Food at Sponsored Conferences

*Exceptions*

***Allow exceptions only for:***

- Awards Ceremonies
- Training
- Official Representational Fund

Provide food only in accordance with the current NPRs governing these activities.

- Maintains and provides explicit and limited exceptions to the general food policy. (See slide 23 for a description of the current exclusions.)

**Recommender's conclusion:**

- All proposed policy changes should be adopted to ensure that NASA's sponsorship and attendance at conferences provides maximum value for the use of taxpayer funds.

**Input Sought**

Please use the attached spreadsheet to comment on each of the proposed policy changes. In particular, we are soliciting feedback on:

1. Views concerning potential pros and cons on adopting the policy change;
2. Potential unanticipated consequences; and
3. What additional issues/guidance need to be included in the revised NPR.

There is also a space to provide additional comments.

**BACKGROUND**

# Current NPR Definitions: Conference & Reportable

**2.4.1 Definition.** For purposes of both conference reporting and foreign conference attendance limitation, the term "conference" means a meeting:

- a. Held for consultation, exchange of information, or discussion.
- b. Having speakers or discussion panels focusing on topical matters of interest and involving participation of a range of attendees from multiple agencies and/or nongovernmental entities.
- c. At least part of which is held at a non-NASA facility ...
- d. Which is neither a NASA internal meeting (including operational meetings) nor formal training (see 2.4.2 and 2.4.3 below).

**2.4.2 NASA Internal Meetings Are Excluded.** The term "conference" does not include NASA internal meetings.

**2.4.2.1 Definition of NASA Internal Meeting: Attendance and Subject Matter.** A NASA internal meeting is a meeting attended only by:

- a. NASA civil service employees, detailees, special Government employees, or individuals attending on NASA-issued invitational travel orders (NASA Attendees).
- b. Employees of other Federal agencies, NASA contractors or subcontractors, or parties to intergovernmental or interagency agreements with NASA or the U.S. Government, when meeting on matters related to NASA's programs or operations.
- c. NASA grantees, their principal investigators, and co-investigators, when meeting on matters directly related to the work performed under a grant.
- d. NASA Space Act Agreement partners or prospective partners, when meeting on matters directly related to the activities covered under the Agreement.

**2.4.2.2 Routine NASA Business, NASA Public Affairs Events are Not Conferences.**

- a. The term "conference" does not apply to:
  - (1) Routine NASA business; such as program/project reviews and meetings of international government officials to coordinate technical, operational, or programmatic matters; site visits and launches; or advisory committee meetings.
  - (2) Public affairs events the general public may attend gratis.
- b. If the sole purpose of the meeting is to discuss NASA business such as scientific/technical or administrative/management issues or priorities, plans, or activities for a specific NASA program, project, or mission support matter, then the meeting is not a conference for purposes of this directive.
- c. If a meeting is, otherwise, an internal NASA meeting, the presence of outside speakers or facilitators does not in itself make the meeting a "conference."

**2.4.3 Formal Training Is Excluded.** The term "conference" does not apply to meetings limited to formal training of NASA employees.

**2.4.3.1 Definition of Training.** For purposes of this NPR, training is defined as a planned, prepared, and coordinated program, course, curriculum, subject, system, or routine of instruction or education in scientific, professional, technical, mechanical, trade, clerical, fiscal, administrative, or other fields intended to improve individual and organizational performance and assist in achieving the Agency's mission and performance goals.

**2.4.3.2 Training versus Conference.**

- a. An established course of instruction in a substantive field in a classroom setting is not a conference, and holding such a course at a rented facility does not transform it into a conference.
- b. However, if a conference has a training aspect (e.g., helps employees maintain certifications or earn continuing education credits) but more closely meets the definition of "conference" than that of "training," it shall be treated as a conference. Many conferences present substantive educational information that does not meet the definition of formal training.

# Proposed New NPR Definitions: Conference & Reportable

- **Conference Definition.**

- The term "conference" means a “meeting, retreat, seminar, symposium or event that involves attendee travel.” See 41 CFR 300-3.1. <sup>1</sup>

- **Other Meetings or Events.**

- Exclusions. This section identifies meeting or events that are not conferences for the purposes of this directive.
- Operational Meeting. The term conference does not include NASA Mission (Operational) meetings. A Mission (Operational) Meeting is a meeting necessary to perform agency managerial or operational activities, as part of day-to-day operations. Examples include: <sup>2</sup>
  - Governance meeting: a meeting held for Agency governance by one of the Councils or Advisory Committees set forth in NPD 1000.3.
  - Program and Project Management meeting: a meeting necessary for program and project oversight, planning, review and approval. These include meetings of the oversight bodies and reviews set forth in NPR 7120.5, ch. 2, NPR 7120.7, ch. 2, and NPR 7120.8, ch. 2-4.
  - Other Programmatic and Institutional Meeting for planning, reviews, investigations, and operational activities: a meeting necessary for NASA management or operational activities as part of routine Agency business. Included are activities such as project planning and prioritizations, project development work or operations, property management, audits, investigations, and inspections. In general this applies to meetings held onsite at a NASA facility, but also includes meetings held at contractor, grantee or agreement partner facility with respect to NASA-funded work being performed by the contractor, grantee or partner.
  - Interagency meetings: a meeting with officials of another governmental agency (federal, state, local or international), onsite at a governmental agency facility, on mission or operational matters of mutual interest to NASA and the other governmental agency, such as hearings, technical coordination, joint operations, or programmatic planning.
- Training. The term "training" is defined in the Government Employees Training Act, 5 U.S.C. 4101, and its implementing regulations distinguish between other forms of training and training at a conference. See 5 C.F.R. 410.101 et seq. Examples of training at other than a conference include “classroom training, on-the-job training, technology-based training, satellite training, [individual] coaching, mentoring, career development counseling, details, rotational assignments.” 5 C.F.R. 410.203. These are not reported within the meaning of “conference.” On the other hand, all costs in connection with a conference, regardless of whether or not all or part of the activities qualify as “training,” are reported as part of a conference.
- Special Agency Mission. This includes unique activities outside NASA’s normal course of day-to-day business. Examples include reimbursable details, security missions, and agency emergency response/recovery.



# Proposed New NPR Definitions: Conference & Reportable, *Continued*

- Special Cases
  - There is an inevitable overlap between the terms “operational meeting” and “conference” used in the FTR. Notwithstanding the operational focus of meetings under section 2.2.c and 2.2.d, they can take on one or more indicia of a conference from time to time. Recognized indicia of a formal conference include (1) participants from multiple agencies or organizations, (2) discussions involving topical matters of interest to the participants, (3) scheduled speakers or discussion panels, (4) published substantive agenda, or (5) registration.
  - To the extent a meeting under section 2.2.c. or 2.2.d. meet the following criteria, such meetings will be considered and reported as a conference.
    - Open Participation – where NASA sponsors a meeting with multiple speakers on matters related to a NASA mission or operations but opens the meeting to external participants, and the meeting has a purpose of dissemination or exchange of information with the external participants. External participant means a person participating in the discussion or exchange other than those working on such mission or operations for NASA (i.e., NASA employees, contractors, agreement partners or grantees who work directly on matters related to the NASA mission or operations).
    - Large Offsite Meetings – where NASA sponsors a meeting to accommodate more than 30 participants, held other than on a facility of NASA or its contractors, agreement partners or grantees performing work related to the subject of the meeting.
  - Reporting Exclusions. OMB M-12-12 only requires certain categories of conferences to be controlled and reported. While managers should carefully scrutinize all proposed expenditures in connection with a potential conference, the extra cost and burden that comes with agency wide reporting does not warrant the tracking of all conferences. Accordingly, the following categories of conferences do not have to be reported:
    - Small Conferences – where NASA sponsors a conference, and the sponsoring organization plans and controls the execution of the conference so NASA’s total costs (travel and non-travel) are below \$20,000.
    - Grantee Conferences – NASA does not have to track or report funds paid under a Federal Grant to a grantee for use in connection with a conference. All other direct and indirect conference costs paid by the Government, whether to a contractor or Space Act or cooperative agreement partner, are considered a “conference expense.”

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<sup>1</sup> This definition is from the Federal Travel Regulations, 41 C.F.R. 300-3.1. The exclusions in section 2 are based on FTR sec. 301 App. C. Both the FTR and OMB M-12-12 recognize there is an overlap between the term “conference” and terms like “training,” but unlike the FTR, OMB M-12-12 requires reporting of all conference costs regardless of its additional purpose as training. In view of this, the exclusions of section 2 have been narrowed to exclude activities that might be reasonably considered “conferences” in terms of usage under the FTR.

<sup>2</sup> The meetings required under section 2.2.a and 2.2.b. are operationally restricted in scope and attendance, and as such do not take on the characteristics of a “conference.”

# Current NPR: Approving Official

## Section 2.7.1.4:

b. Approving Official: Conferences below \$100,000. A responsible senior executive in the Senior Executive Service (SES) or, if there is no SES, a senior-level or scientific or professional position (SL/ST) within the sponsoring organization shall approve and sign the NF 1784.

c. Approving Official: Conferences above \$100,000. For events with total estimated costs, including travel, of at least \$100,000, the approving official signing the NF 1784 shall be:

- (1) For HQ organizations within a Mission Directorate (MD), the cognizant official no more than two-levels below the MD Associate Administrator (AA).

- (2) For HQ organizations that report directly to the Administrator rather than to an MD AA, the cognizant official no more than one-level below the head of that organization.

- (3) At Centers, the cognizant official no lower than the level of a Directorate head or equivalent (e.g., Chief Financial Officer, Chief Counsel, etc).

# Current NPR: Form NF 1784

## 2.7.1 NF 1784, the NASA-Sponsored Event Approval Form.

2.7.1.1 Purpose. The NF 1784 estimates the probable cost and attendance of a future NASA-sponsored conference. It also ensures that, per the FTR and the NASA FTR Supplement (NFTRS), the sponsoring office has developed cost estimates for several alternative venues to support the approving official's site decision, has considered NASA or other Federal sites, and has analyzed and made reasonable efforts to control food and beverage costs.

2.7.1.2 Required Use. An NF 1784 is required for any conference of which NASA is a primary sponsor as defined in 2.6.3.

2.7.1.3 Preparing the NF 1784.

a. Forms and Instructions. The NF 1784, detailed instructions, and further guidance are available at <http://conference.nasa.gov> .

b. A searchable database of NF 1784s and Post-Conference Reports (including NF 1785s) of previous conferences is available at <https://search.nssc.nasa.gov/search/general.html> . Documents for a particular conference can be found by using the first "Text" search field and inputting between asterisks the NCTS Identifier of the conference for which you wish to search, e.g. \*13544-09.\*

2.7.1.4 Signatures.

a. Sponsor Organization POC. The Sponsor Organization POC shall review the NF 1784 for completeness and accuracy, sign it, and be prepared to fully substantiate the cost estimates and any supporting documentation to the satisfaction of the approving official.

[AS ON PREVIOUS SLIDE]

2.7.1.5 Submitting the NF 1784. The sponsoring organization POC shall e-mail a final signed NF 1784, along with required supporting information:

a. To the NSSC (NSSC@NASA.gov), and the sponsoring organization's Center or Office Conference Reporting POC in PDF form, with the e-mail subject line "NF 1784" followed by the NCTS Identifier number and the event's official name.

b. At least 30 days before the start of the event.

2.7.1.6 NF 1784 to be Submitted Before Funds Committed.

a. The sponsoring office POC shall ensure that the NF 1784 has been submitted to NSSC and approved before they request any contracting officer to execute agreements or contracts with conference locations, caterers, or anyone else providing conference services to the Agency.

b. No non-refundable funds shall be committed for the event (e.g., site deposit, catering contracts, etc.) before a completed NF 1784 is submitted to NSSC.

c. An exception shall be allowed for conference support contractor costs associated with preparations leading up to and including event site selection and preparing the NF 1784.

# Current NPR: Form NF 1785

## 2.7.2 Post-Conference Report Forms (Including the NF 1785).

2.7.2.1 Purpose. The Post-Conference Report records a conference's actual costs, attendance data, contract features, and other related information. It is used for internal management reviews and made available as appropriate for external reviews. The NF 1785 is a key summary document that forms part of this report and is signed by the sponsor organization POC and the approving official as described below. It is not the entire report, but rather summarizes estimates developed in other parts of the report.

### 2.7.2.2 Required Use.

a. A Post-Conference Report is required for any NASA-sponsored event for which all three of the following are true:

(1) It is a conference, as "conference" is defined in 2.4.

(2) NASA is a primary sponsor as "primary sponsor" is defined in 2.6.3.

(3) Its total actual cost to NASA (including both sponsorship costs and NASA travel costs) exceeds \$20,000 .

b. If the criteria in a.i or ii do not apply to the event, no post-conference report or NF 1785 shall be required for it, but an amended NF-1784 shall be submitted to the NCTS moderator, signed by the sponsor organization POC, clearly indicating that the event has subsequently been determined either not to be a conference or not primarily sponsored by NASA. Upon receipt the NCTS moderator will remove the event from the list of NASA-sponsored conferences.

### 2.7.2.3 Preparing the Post-Conference Report/NF 1785.

a. Forms and Instructions. Detailed instructions, samples, and templates (where practicable) for the Post-Conference Report, including the NF 1785 and other required displays, are available at <http://conference.nasa.gov> .

b. A searchable database of NF 1784s and Post-Conference Reports (including NF 1785s) of previous conferences is available at <https://search.nssc.nasa.gov/search/general.html> . Documents for a conference can be found by using the first "Text" search field and inputting between asterisks the NCTS Identifier of the conference for which you wish to search, e.g. \*13544-09.\*

### 2.7.2.4 Required Signatures.

a. Sponsor Organization POC. The sponsor organization POC shall review the Post-Conference Report for completeness and accuracy, sign the NF 1785, and be prepared to fully explain the report's contents to the satisfaction of the approving official.

b. Approving Official. The responsible official who signed the event's NF 1784 (or, if unavailable, another cognizant senior executive (SES or SL/ST) in the sponsoring organization) shall review the Post-Conference Report and sign the NF 1785 that forms a key part of it.

2.7.2.5 Conferences costing less than \$20,000. If the final cost to NASA of the conference is determined to be less than \$20,000 (i.e., criteria 2.7.2.2.a.iii is determined not to apply to the event), an NF-1785 must still be submitted, but should only include the conference title and identifier, the approximate total cost to NASA clearly showing such is less than \$20,000, and be signed only by the sponsor organization POC. NCTS moderator will then remove the event from the list of NASA-sponsored conferences.

# Current NPR: Food

**2.6.8.1 General Prohibition, Limitations, and Requirements.** GAO case law generally prohibits agencies from using appropriated funds to pay for food at agency-sponsored events because food is a personal expense.

- a. NASA may use appropriated funds for meals or entertainment only in certain limited exceptions in 2.6.8.2 through 2.6.8.6 below.
- b. Even when such use is not prohibited, employees shall try to avoid structuring events to provide food unless necessary to achieve the Agency's goals.
- c. If an organization believes that use of appropriated funds for food or entertainment at a NASA-sponsored conference is permissible under one or more of the exceptions in 2.6.8.2 through 2.6.8.6 below:
  - (1) The Approving Official (see 2.7.1.4) shall explain the rationale for providing food under the applicable exception(s) in Section VI of NF-1784 (see 2.7.1), seeking guidance from their local CFO's and counsel's office as needed.
  - (2) The sponsoring office shall provide clear written reminder(s) (e.g., via event Web sites, applications, announcements, e-mails, etc.) to all attending employees to exclude from their travel vouchers reimbursement requests for any meals already provided at Government expense.
- d. Under the circumstances described in 2.6.9.1, NASA shall not provide food to non-Federal persons, unless they pay for their own food in an appropriate manner that does not augment the Agency's appropriations, e.g., under a no-cost contract between NASA and the contractor, where fees for food/refreshments go to the contractor.

## **2.6.8.2 Exception: Formal Conferences.**

- a. The Government Employees Training Act (5 U.S.C. § 4110) allows agencies to spend appropriated funds "for expenses of attendance at meetings which are concerned with the functions or activities for which the appropriation is made."
- b. Pursuant to this authority, these expenses may include meals and refreshments at a formal, NASA-hosted conference when:
  - (1) The meals and refreshments are incidental to (i.e., are associated with, or occur as a consequence of) the conference.
  - (2) Attendance at the meals and during the refreshments is important for NASA to ensure the full participation of attendees in essential discussions, lectures, or speeches concerning the purpose of the conference.
  - (3) Substantial conference functions also occur at other times than when food is served.
- c. The definition of a "formal" conference, for purposes of establishing that food may be provided, is one that includes: topical matters of interest, the participation of multiple agencies and/or nongovernmental participants, a published substantive agenda, registration, and scheduled speakers or discussion panels.
  - (1) Meetings that discuss business matters internal to NASA or other topics with little relevance outside NASA do not constitute formal conferences. In most cases, NASA shall not use appropriated funds to provide meals and refreshments at such events.
  - (2) Conference sponsors who intend to use a Government purchase card to pay for any or all of such food and refreshments shall comply with Procurement Information Circulation 10-14 and other applicable procurement guidance.

# Current NPR: Food, *cont...*

## 2.6.8.3 Exception: NASA-Sponsored Conference Venues where Food Costs are Non-Negotiable.

- a. If a venue provides food and/or refreshments as part of its facility rental package and, following request by NASA, the venue will not negotiate the cost for the food out of the package, the Agency may pay the full fee and allow the food/refreshments to be provided.
- b. However, if a venue offers to negotiate an option to either exclude or include food/refreshments as part of a package deal, the exception allowed in 2.6.8.3.a for non-negotiable food costs shall not apply.
  - (1) In cases such as 2.6.8.3.b above where the venue will negotiate out the food/refreshments and their associated charges, the NASA organization may only accept a package that excludes the food/refreshments and saves the associated costs.
  - (2) The standard for non-negotiability is met only if the venue negotiates an entire package that includes food and declines to negotiate a lesser rate that excludes the food. If the Agency refuses the meals and refreshments, it is still charged the full package amount: i.e., where the charge is the same regardless of whether the venue provides the food and/or refreshments or not.
  - (3) If food is paid for with appropriated funds because the non-negotiability standard is met as described above, the employees' per diem shall be reduced to reflect any meals provided. No per diem reduction is necessary to account for provision of a simple water and coffee service, as that is considered de minimis (i.e., insignificant in the pertinent context).

[...]

## 2.6.8.7 NASA-Sponsored Events at which Attendees Pay for their Own Food Expenses. NASA may also arrange for food to be provided at a NASA-sponsored event, as long as NASA structures the event in such a way that:

- a. Attendees pay for their own food.
- b. The Agency's appropriations are not thereby augmented.
  - (1) That is, NASA shall not set up a contract with a venue that includes providing food and then collect fees to offset NASA's costs.
  - (2) However, if the venue permits it, the NASA sponsor organization may arrange (outside NASA's contract) for an individual employee to collect attendee payments for food and pay them directly to the venue. For example, a venue may be willing to provide box lunches outside of the event contract and be paid directly by the attendees on the day of the event.
  - (3) Another option is for the venue to set up a pay-for-food kiosk where attendees can buy food onsite.

# Current NPR: Food & Awards, Training, ORF

2.6.8.4 Exception: Food at Awards Ceremonies. Rules governing use of appropriated funds for food, refreshments, and other purposes differ in the case of awards ceremonies (including ceremonies held in conjunction with a conference) as opposed to conferences as follows.

- a. The Government Employees Incentive Awards Act allows use of appropriated funds for awards to Federal employees.
  - (1) The Act likewise allows use of appropriated funds for necessary expenses connected with honorary recognition of those employees, including food and refreshments for attendees at an awards ceremony.
  - (2) The Act provides no authority to use appropriated funds to honor non-employees.
- b. Appropriated funds may only be used to provide food and/or refreshments for such awards ceremonies if:
  - (1) The event includes presentation of the awards in front of an audience other than awardees.
  - (2) The Agency has determined that the food/refreshments will materially enhance the ceremony.
  - (3) The food/refreshments are appropriate for the given circumstances and are served as part of the ceremony.
- c. While light refreshments such as snacks, cake, hors d'oeuvres, sodas, and punch are typically appropriate for most awards ceremonies, meals are rarely appropriate. Approving Officials considering using appropriated funds for meals at employee award ceremonies held in conjunction with a NASA-sponsored conference shall obtain concurrence from their local Deputy Chief Financial Officer (DCFO) before proceeding.

2.6.8.5 Exception: Food at Receptions and Representation Events. Each year, NASA receives a small amount of appropriated funding, known as the Official Representational Fund (ORF) or the "Administrator's Fund," to use for official receptions and other representation purposes. If a NASA organization wants to use appropriated funds to purchase food and refreshments for an event that has a reception or representation purpose, but none of the exceptions described above (training, conference, awards ceremony) apply, it may be permissible to use ORF funds for this purpose. For information on when the funds may be used and the process for applying to the Administrator's office for such use, see NPD and NPR 9050.1, Official Representational Fund.

2.6.8.6 Exception: Food for Training Events. Per the Government Employees Training Act (5 U.S.C. § 4109), agencies may spend appropriated funds to reimburse employees (though not non-employees) for necessary expenses, including food and refreshments, incident to an authorized training program.